



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

ground that throughout the treatise there runs a thread of political commentary, not necessary nor always just, and not appropriate to a great work of historical and analytical exposition. Sir William Anson himself has not fallen into this temptation. He has kept himself in this edition, as always before, entirely aloof from politics, even if we use that word in the broadest sense.

In reviewing this edition, therefore, it is necessary only to mention the points in which it differs from the earlier ones. Throughout it has been carefully revised and brought up to date, only a small proportion of the pages remaining absolutely untouched. Yet over most of the book the changes are not numerous, and they relate in great part to acts passed, or decisions rendered, since the previous edition. Such new matters as the reorganization of the war office, the imperial defense committee, the army council, the reorganization of the territorial forces, and the right of criminal appeal, naturally appear; but the largest changes are to be found in the portions of the work devoted to local government and to the colonies, which have been very largely recast, and rearranged from somewhat new points of view. To our mind they have been improved by the change.

An introduction has also been added relating to the evolution and structure of some of the administrative departments and to the influence of the civil service. This would perhaps have been quite as germane to the first part of the work, a new edition of which appeared a year ago; but the first two parts are treated as one volume, and the note is valuable wherever it is placed.

One always feels in dealing with Sir William Anson's book a complete confidence in his accuracy in every detail, and no library — nor indeed any person who wants to keep in touch with that very changing organism, the government of England — can afford to be without the last edition of "The Law and Custom of the Constitution."

A. L. L.

THE LAW OF FRAUDULENT AND VOLUNTARY CONVEYANCES. By H. W. May. Third edition by W. Douglas Edwards. London: Stevens and Haynes. 1908. pp. lxiv, 516.

Unlike most textbooks, this treatise has not grown in size nor in the number of cases cited while going through its three editions; yet the third edition now offered to the profession under the editorship of Mr. Edwards is in the best sense a new edition, and brings the English law, within its field, to date.

May on Fraudulent Conveyances was first published in 1871. It contained 494 pages of text, the pages being somewhat smaller in size than those of the present edition. The second edition, which was not issued until 1887, was under the editorship of Mr. S. W. Worthington, who preserved the original plan. The work was divided into six parts: Part I. The General Operation of the Statutes of Elizabeth against Fraudulent Conveyances, and the General Distinctions between them; Part II. The Rights of Creditors under the Statute 13 Eliz. c. 5; Part III. The Rights of Purchasers under the Statute 27 Eliz. c. 4; Part IV. What is a Valuable Consideration under the Statutes of Elizabeth; Part V. Voluntary Dispositions of Property independently of the Statutes of Elizabeth; How validly made and in what Instances they are liable to be set aside; Part VI. Miscellaneous Points, Practice under the Statutes of Elizabeth and Costs. An appendix contained Statutes 13 Eliz. c. 5; 27 Eliz. c. 4; 41 & 42 Vict. c. 31; 45 & 46 Vict. c. 43, and Cases from the Coxe and Melmoth MSS.

In the present edition the general plan and also the chapter division are still adhered to. By reason of the passage of 56 & 57 Vict. c. 21, the title of Part III is changed by the addition of "the Alteration of the Law hereon by the Voluntary Conveyances Act, 1893"; and the text is changed to conform to the alteration of the law. Parts V and VI are transposed in position. The Statutes 41 & 42 Vict. c. 31 and 45 & 46 Vict. c. 43 and the cases from the Coxe and Melmoth MSS. are omitted from the appendix, and the Voluntary Conveyances Act, 1893 (56 & 57 Vict. c. 21) is added. There are 444 pages of text,

a smaller number of pages than in the second edition. The number of cases cited is approximately the same. This, of course, is due to the fact that much of the earlier case law has become obsolete by virtue of the recent statute, giving an opportunity for excision, and also for substitution of new and important decisions on the Statutes of Elizabeth, and decisions on the Voluntary Conveyances Act, 1893. Though some United States cases are cited, the book is primarily an English book. Notwithstanding this, it is one that will be of value to practitioners here, for the underlying principles are of general application and they are clearly expounded, and are reënforced by the citation of authority.

It would be of advantage to the profession if authors of law textbooks, and more particularly editors of other men's works, would take example from Mr. Edwards, and realize that a new edition should mean a revision by a book in view of the latest laws and decisions; not merely an expansion by the mechanical addition of new citations to a previously written text, or an addition to such text of portions of the headnotes of cases decided between the editions.

S. H. E. F.

RATE REGULATION AS AFFECTED BY THE DISTRIBUTION OF GOVERNMENTAL POWERS IN THE CONSTITUTION. By Robert P. Reeder. Philadelphia: F. & J. W. Johnson Company. 1908. pp. 44. 8vo.

This monograph is essentially an inquiry as to the amount of discretion which may be granted to commissions in the fixing of railroad rates, without infringing the principle of constitutional law which prohibits legislatures from delegating powers confided exclusively to them.

A definite thesis is supported by the author, namely, that where in fixing specific rates the commission is merely following "principles" previously laid down by the legislature the rates so fixed are valid, the extent of the commission's power "depending on the completeness with which principles have been stated for its guidance." In reaching this general conclusion the author has made an excellent exposition of the nature of the rate-regulating power. But the more unsettled and important question now is the precise nature and extent of the "principles" which the legislature must lay down. How definite must the legislative rules for the guidance of commissions be, in order to give validity to their acts thereunder? This narrow question is the vital one, and in treating it the author is less satisfactory than in his preliminary discussion. There is a puzzling difficulty involved. If the legislature is compelled to lay down for the commission rules so detailed as to leave to the commission little or no discretion, the inconvenience of devising such rules will probably make the fixing of specific rates, as a practical matter, impossible. An important reason for the creation of commissions was this very inconvenience. If, on the other hand, the commission may fix valid specific rates under a broad legislative authorization, such as to fix "reasonable" rates, it would seem that the legislature has delegated all its power, for if "reasonable" rates mean rates not unconstitutionally high or low, the legislature itself could do no more than it has authorized the commission to do.

It could be wished that the author had discussed this narrower question more in detail and as applied to various specific statutes; for a solution must be found — if possible, without abandoning either the convenience of commission rate fixing, or the rule forbidding the delegation of legislative powers.

As it is, a definite conclusion is reached only as to the Interstate Commerce Act which the author holds unconstitutional in so far as it authorizes the commission to fix "reasonable" maximum rates.

This little book is hardly one for the casual reader, either layman or lawyer, for its condensed style and lack of detailed headings make requisite the closest attention and the examination of decisions in connection with the text. So read, it will be found interesting and valuable.